

**DECLARATION AND POWER OF ATTORNEY****(Original, Design, National Stage of PCT, Divisional, Continuation or C-I-P Application)**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

NUCLEIC ACIDS, VECTORS, AND CELL LINES COMPRISING  
A CYCLOOXYGENASE 2 (COX-2) PROMOTER AND METHODS  
OF SCREENING FOR COX-2 INHIBITORS

This declaration is of the following type:

- ☐ original
- ☐ design
- ☒ national stage of PCT/ES00/00245.
- ☐ divisional
- ☐ continuation
- ☐ continuation-in-part (C-I-P)

the specification of which: *(complete (a), (b), or (c))*

- (a) ☐ is attached hereto.
- (b) ☒ was filed on January 10, 2002 as Application Serial No. 10/031,047 and was amended on *(if applicable)*.
- (c) ☐ was described and claimed in PCT International Application No. filed on and was amended on *(if applicable)*.

**Acknowledgement of Review of Papers and Duty of Candor**

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of the subject matter claimed in this application in accordance with Title 37, Code of Federal Regulations § 1.56.

☐ In compliance with this duty there is attached an information disclosure statement. 37 CFR 1.98.

**Priority Claim**

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT International Application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT International Application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application on which priority is claimed

*(complete (d) or (e))*

- (d) ☐ no such applications have been filed.
- (e) ☒ such applications have been filed as follows:

PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION			
COUNTRY	APPLICATION NO.	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
			PRIORITY CLAIMED UNDER 35 USC 119 <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
			<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
			<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION			
Spain	P 9901557	12.7.99	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
			<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
			<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>

### Claim for Benefit of Prior U.S. Provisional Application(s)

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Provisional Application Number	Filing Date

### Claim for Benefit of Earlier U.S./PCT Application(s) under 35 U.S.C. 120

*(complete this part only if this is a divisional, continuation or C-I-P application)*

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
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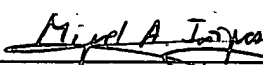
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
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### Power of Attorney

As a named inventor, I hereby appoint Robert Neuner, Reg. No. 24,316; Richard G. Berkley, Reg. No. 25,465; Bradley B. Geist, Reg. No. 27,551; James J. Maune, Reg. No. 26,946; John D. Murnane, Reg. No. 29,836; Henry Tang, Reg. No. 29,705; Robert C. Scheinfeld, Reg. No. 31,300; John A. Fogarty, Jr., Reg. No. 22,348; Louis S. Sorell, Reg. No. 32,439; Rochelle K. Seide, Reg. No. 32,300; Gary M. Butter, Reg. No. 33,841; Lisa B. Kole, Reg. No. 35,225; Paul A. Ragusa, Reg. No. 38,587; Neil P. Sirota, Reg. No. 38,306; Francis J. Hone, Reg. No. 18,662; Walter M. Egbert, Reg. No. 37,317; Anthony Giaccio, Reg. No. 39,684; Paul D. Ackerman, Reg. No. 39,891; Gary Abelev, Reg. No. 40,479; Carmella L. Stephens, Reg. No. 41,328; Michael A. Fisher, Reg. No. 42,536; Jeffrey D. Sullivan, Reg. No. 43,170; Alicia A. Russo, Reg. No. 46,192; Andrea Dorigo, Reg. No. 47,532; Tara Agnew, Reg. No. 50,589; Eliot D. Williams, Reg. No. 50,822; and Kimberly J. McGraw, Reg. No. 50,994, of the firm of BAKER BOTTS L.L.P., with offices at 30 Rockefeller Plaza, New York, New York 10112, as attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith

<b>SEND CORRESPONDENCE TO:</b> BAKER BOTTS L.L.P. 30 ROCKEFELLER PLAZA, NEW YORK, N.Y. 10112 CUSTOMER NUMBER: 21003	<b>DIRECT TELEPHONE CALLS TO:</b> BAKER BOTTS L.L.P. (212) 705-5000
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR	LAST NAME Fresno Escudero	FIRST NAME Manuel	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY Cantoblanco (Madrid)	STATE or FOREIGN COUNTRY Spain	COUNTRY OF CITIZENSHIP Spain	
POST OFFICE ADDRESS	POST OFFICE ADDRESS Centro de Biologia Molecular "Severo Ochoa", Fac Ciencias Universidad Autonoma de Madrid,	CITY Cantoblanco (Madrid)	STATE or COUNTRY Spain	ZIP CODE E-28049
DATE 9/3/2002	SIGNATURE OF INVENTOR 			
FULL NAME OF SECOND JOINT INVENTOR, IF ANY	LAST NAME Iniguez Pena	FIRST NAME Miguel	MIDDLE NAME Angel	
RESIDENCE & CITIZENSHIP	CITY Cantoblanco (Madrid)	STATE or FOREIGN COUNTRY Spain	COUNTRY OF CITIZENSHIP Spain	
POST OFFICE ADDRESS	POST OFFICE ADDRESS Centro de Biologia Molecular "Severo Ochoa", Fac Ciencias Universidad Autonoma de Madrid,	CITY Cantoblanco (Madrid)	STATE or COUNTRY Spain	ZIP CODE E-28049
DATE 9/3/2002	SIGNATURE OF INVENTOR 			
FULL NAME OF THIRD JOINT INVENTOR, IF ANY	LAST NAME	FIRST NAME	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY	STATE or FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE or COUNTRY	ZIP CODE
DATE	SIGNATURE OF INVENTOR			
FULL NAME OF FOURTH JOINT INVENTOR, IF ANY	LAST NAME	FIRST NAME	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY	STATE or FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE or COUNTRY	ZIP CODE
DATE	SIGNATURE OF INVENTOR			

Check proper box(es) for any added page(s) forming a part of this declaration

- ☐ Signature for ninth and subsequent joint inventors. Number of pages added \_\_\_\_\_.
- ☐ Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor.  
Number of pages added \_\_\_\_\_.
- ☐ Signature for inventor who refuses to sign, or cannot be reached, by person authorized under 37 CFR 1.47.  
Number of pages added \_\_\_\_\_.



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

DECEMBER 30, 2002

PTAS

Under Secretary of Commerce For Intellectual Property and  
Director of the United States Patent and Trademark Office  
Washington, DC 20231  
www.uspto.gov

BAKER BOTTS L.L.P.  
ALICIA A. RUSSO  
30 ROCKEFELLER PLAZA - 44 FL.  
NEW YORK, NY 10112



\*102233818A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/23/2002

REEL/FRAME: 013317/0800  
NUMBER OF PAGES: 6

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

ESCUDERO, FRESNO

DOC DATE: 09/03/2002

ASSIGNOR:

PENA, MIGUEL ANGEL INIGUEZ

DOC DATE: 09/03/2002

ASSIGNEE:

LABORATORIOS DEL DR. ESTEVE, S.A.  
AVDA. MARE DE DEU DE MONTSERRAT  
221  
BARCELONA, SPAIN E-08041

SERIAL NUMBER: 10031047

PATENT NUMBER:

FILING DATE: 09/23/2002

ISSUE DATE:

BAKER BOTTS L.L.P.

10031047 PH

TO


*[Handwritten signature]*

VIOLET MCCOY, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

09-26-2002

FILE NO. A34909-PCT-USA 069277.0108

RECOR



102233818

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

FRESNO ESCUDERO

Additional name(s) of conveying party(ies) attached?

☒ Yes☐ No

2. Name and address of receiving party(ies)

Name: LABORATORIOS DEL DR. ESTEVE, S.A.

3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other:

Address: Avda. Mare de Deu de Montserrat 221

City: Barcelona

State:

Zip: E-08041

Additional name(s) and address(es) attached? Country: Spain

☐ Yes ☒ No

Execution Date: September 3, 2002

4. Application number(s) or patent number(s) 10/031,047 filed January 10, 2002

If this document is being filed together with a new application, the execution date of the application is

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached?

☐ Yes☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name:

BAKER BOTTS L.L.P.

30 Rockefeller Plaza - 44 Fl.

New York, NY 10112

6. Total number of applications and patents involved:

7. Total fee (37 CFR 3.41): \$ 40.00

☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number:

02-4377 (Charge any additional fees to this account)

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature

*To the best of my knowledge and belief, the foregoing instrumentation is true and correct and any attached copy is a true copy of the original document.*

Alicia A. Russo

Name of Person Signing

Signature

September 17, 2002

Date

Page 1 of 2

Total number of pages including cover sheet, attachments and document:

09/25/2002 DDYRKE 00000041 10031047

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 2002 SEP 23 PM 1:30  
 FINANCE SECTION

RECORDATION FORM COVER SHEET  
PATENTS ONLYU.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

10. Additional Names of assigning party(ies):

MIGUEL ANGEL INIGUEZ PENA

10a. Additional Names of receiving party(ies):

11. Application number(s) or registration number(s):

A. Patent Application No.(s)

B. Patent Registration No.(s)

Page 2 of 2

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Mail documents to be recorded with required cover sheet information to:

**Commissioner of Patents and Trademarks  
Box Assignments  
Washington, DC 20231**

A S S I G N M E N T

WHEREAS, WE, MANUEL FRESNO ESCUDERO and MIGUEL ANGEL IÑIGUEZ PEÑA, citizens of Spain, residing at Centro de Biología Molecular "Severo Ochoa", Fac. Ciencias Universidad Autónoma de Madrid, E-28049 Canto Blanco (Madrid), Spain and Centro de Biología Molecular "Severo Ochoa", Fac. Ciencias Universidad Autónoma de Madrid, E-28049 Canto Blanco (Madrid) Spain, respectively, have made an invention for which we have made application for Letters Patent of the United States entitled "NUCLEIC ACIDS, VECTORS, AND CELL LINES COMPRISING A CYCLOOXYGENASE 2 (COX-2) PROMOTER AND METHODS OF SCREENING FOR COX-2 INHIBITORS", filed January 10, 2002 as Serial No. 10/031,047; and

WHEREAS, LABORATORIOS DEL DR. ESTEVE, S.A., a corporation organized and existing under the laws of Spain, having a place of business at Avda. Mare de Deu de Montserrat 221, E-08041 Barcelona, Spain, is desirous of acquiring our entire right, title and interest in and to said invention and any improvements thereon, and in and to the said application for Letters Patent therefor, and any Letters Patent which may be obtained therefor;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN, BE IT KNOWN, that WE, the said MANUEL FRESNO ESCUDERO and MIGUEL ANGEL IÑIGUEZ PEÑA, for and in consideration of the sum of One Dollar (\$1.00), lawful money of the United States, to us in hand paid by said LABORATORIOS DEL DR. ESTEVE, S.A., and other valuable considerations unto us moving from said LABORATORIOS DEL DR. ESTEVE, S.A., at or before the ensealing and delivery of these presents, the receipt of which is hereby acknowledged, have sold, assigned, transferred and conveyed and by these presents do sell, assign, transfer and convey, unto said LABORATORIOS DEL DR. ESTEVE, S.A., its successors and assigns, our entire right, title and interest in and to the said invention for which we have made application for Letters Patent of the United States entitled "NUCLEIC ACIDS, VECTORS, AND CELL LINES COMPRISING A CYCLOOXYGENASE 2 (COX-2) PROMOTER AND METHODS OF SCREENING FOR COX-2 INHIBITORS," filed January 10, 2002 as Serial No. 10/031,047, and any and all improvements thereon, and in and to said application and any division, continuation or continuation-in-part thereof, and in and to any Letters Patent of the United States which may be issued on any of said applications, and any reissues thereof, and in and to any and all applications for Letters Patent filed in foreign countries for said invention or improvements including all priority rights, and any and all Letters Patent which may be granted in foreign countries therefor, TO HAVE AND TO HOLD THE SAME to the full end of the term or terms for which any and all said Letters Patent may be granted;

AND WE, the said MANUEL FRESNO ESCUDERO and MIGUEL ANGEL IÑIGUEZ PEÑA, do hereby authorize and request the Commissioner of Patents and Trademarks to issue the said Letters Patent of the United States to said


LABORATORIOS DEL DR. ESTEVE, S.A., as the assignee of our entire right, title and interest in and to the same, for the sole use and benefit of said LABORATORIOS DEL DR. ESTEVE, S.A., its successors and assigns;

AND WE, the said MANUEL FRESNO ESCUDERO and MIGUEL ANGEL IÑIGUEZ PEÑA, for the considerations aforesaid, do hereby covenant and agree to and with said LABORATORIOS DEL DR. ESTEVE, S.A., its successors and assigns, that we have the full power to make this assignment, and that the rights assigned are not encumbered by any grant, license or right heretofore given, and that we, our executors or administrators, shall and will do all lawful acts and things and make, execute and deliver without further compensation, any and all other instruments in writing, further applications, papers, affidavits, powers of attorney, assignments, and other documents which, in the opinion of counsel for said LABORATORIOS DEL DR. ESTEVE, S.A., its successors and assigns, may be required or necessary more effectively to secure to and vest in said LABORATORIOS DEL DR. ESTEVE, S.A., its successors and assigns, our entire right, title and interest in and to said invention and improvements, applications, Letters Patent, rights, titles, benefits, privileges, and advantages hereby sold, assigned, transferred and conveyed, and that we will sign any applications for reissue which may be desired by the owner of the patent or patents which may be issued for the said invention or improvements.


IN WITNESS WHEREOF, WE, the said MANUEL FRESNO ESCUDERO and MIGUEL ANGEL IÑIGUEZ PEÑA, have hereunto set my hand and seal on the date below written.

  
MANUEL FRESNO ESCUDERO

9/3/2002  
Date

  
Witness : MARIA ANGELES CHORRO

9/3/2002  
Date

  
Witness VIRGINIA VILA

9/3/2002  
Date



Miguel A. Iniguez  
MIGUEL ANGEL INIGUEZ REÑA

9/3/2002  
Date

[Signature]  
Witness MARCIA ANGEL HERRERO

9/3/2002  
Date

[Signature]  
Witness VERONICA VELA

9/3/2002  
Date